# CASE NEG – Faculty Plan

## 1

#### Interpretation: the aff may not specify a group of people for whom protected speech is unrestricted

#### Violation:

they spec professors

#### Standards

#### 1. Limits

they explode the topic and can specify down to literally any of the millions of people in college which creates truism affs and kills valuable education on the topic – we’re spread too thin and can’t prep effectively. Education is a voter – it’s the purpose of debate and the out-round-benefit we all gain from it.

#### 2. Ground

they’re always ahead on the people they’ve picked which means generics can’t solve – they’ll pick a group for which they don’t mater – obviously the hate speech PIC doesn’t work against the BLM aff and so on. Devastates fairness – there’s no possibility for the negative to engage or be able to read coherent arguments. Fairness is a voter – judge can’t vote for the better debater if one of them had an unfair advantage over the other, which means it’s necessarily a prior question.

#### Drop the debater –

A. hold them to their interpretation of the topic, they should have to defend their plan’s validity B. it’s the same as drop the arg because T indicts their advocacy C. the 1NC was skewed from the beginning and I can’t redo it

#### No RVIs –

A. neg flex – key to test tiny plans like theirs and have multiple 2NR options B. RVIs force a collapse in theory every round because we all know substance is untenable as soon as someone tries to check abuse C. they get an RVI if I read more than 1 shell which solves their offense and ensures good debate

## 2

#### Public colleges and universities ought to only restrict faculty’s protected speech in order to prohibit research aimed at weaponizing pathogens.

#### The United States federal government ought to prohibit and classify research aimed at weaponizing pathogens. Public colleges and universities ought to only restrict faculty’s protected speech in order to comply with the federal government’s prohibition.

#### It competes – violates academic freedom.

Michael Selgelid 08, Centre for Applied Philosophy and Public Ethics, Menzies Centre for Health Policy at the Australian National University. “Governance of dual-use research: an ethical dilemma” February 19, 2008. http://www.who.int/bulletin/volumes/87/9/08-051383/en/ SA-IB

A system involving governmental control over publication practices, on the other hand, may promote security; but this would have costs in terms of academic freedom. Scientific progress may also be hindered (to the degree that, as is often claimed, scientific freedom is essential to scientific progress). The scientific community is right to be wary about governmental censorship. Given what they do for a living, bureaucrats and security experts are likely to be biased in favour of security values over scientific values. There is also reason to doubt that governmental decision-makers will always have sufficient expertise to judge the scientific importance of publishing studies they might want to censor. An additional worry about the censorship of science by government is that this could be one more step down the path of liberty infringement in the name of “the war on terrorism” and that governmental censorship may threaten freedom of speech more generally.

#### Additionally, the aff cards all all in context of academic freedom, which means the counterplan is definitely competitive – it takes a whole category of speech and BANS PROFESSORS FROM SPREADING IT.

#### University research being published enables terror groups.

John Horgan 12, directs the Center for Science Writings at the Stevens Institute of Technology. His books include The End of Science and The Undiscovered Mind. “Let's Ban Research That Makes the Bird-Flu Virus and Other Pathogens Deadlier" February 06, 2012. SA-IB

Last year teams from the Erasmus Medical Center in the Netherlands and from the University of Wisconsin at Madison each announced that they had engineered highly contagious versions of H5N1, which can be transmitted from one ferret to another through the air. The immune systems of ferrets are similar to those of humans. The Dutch team submitted its paper to Science and the Wisconsin team to Nature, but publication of both papers has been held up since December on the advice of a federal committee of experts, the National Science Advisory Board for Biosecurity. "Our concern is that publishing these experiments in detail would provide information to some person, organization, or government that would help them to develop similar… viruses for harmful purposes," the board announced in Nature and Science on January 31. Another concern is that the new virus could be accidentally released into the environment. In a recent post, Christine Gorman of Scientific American revealed a bitter debate among scientists over the H5N1 research. Some insist that the H5N1 research performed by the two teams was dangerous and perhaps should never have been done. Others contend that such work is beneficial, because it can help epidemiologists anticipate—and develop vaccines and other defenses for—outbreaks. Ron Fouchier, a member of the Dutch team, seems to hold both opinions simultaneously. When Fouchier publicly discussed the work at a scientific meeting last September, he defended its value but also called the ferret experiments "really, really stupid," according to a report by Scientific American's Katherine Harmon. The World Health Organization has scheduled a February 16 meeting to ponder the case of the engineered H5N1 and other research aimed at making pathogens deadlier. Here are some options for resolving the dilemma:

#### Prohibition is key – pathogen research is uniquely vulnerable.

John Horgan 12, directs the Center for Science Writings at the Stevens Institute of Technology. His books include The End of Science and The Undiscovered Mind. “Let's Ban Research That Makes the Bird-Flu Virus and Other Pathogens Deadlier" February 06, 2012. SA-IB

Ban all research, open or classified, aimed at making pathogens deadlier. This is my "least-bad" choice, because I believe that the risks of research like the recent H5N1 experiments outweigh potential benefits. In general, I favor unrestricted research and communication, just as I favor free speech. But if scientists keep introducing more lethal pathogens into the world, the odds grow that one of them will be unleashed intentionally or accidentally. Moreover, if the U.S. keeps pursuing research into new strains of infectious disease, other nations and groups are more likely to do so as well. My fears stem in part from the history of biological-warfare research, as detailed in accounts such as A Higher Form of Killing: The Secret History of Chemical and Biological Warfare, by Robert Harris and Jeremy Paxman (Random House, 2002). Such research, which has been carried out at least since World War II by the U.S., United Kingdom, Soviet Union, Japan and other states, has repeatedly led to releases of pathogens. In 1979, biological-warfare experiments in a Soviet facility in Sverdlovsk triggered an anthrax epidemic that killed 70 people.

#### Research enables terrorists to overcome roadblocks for attacks – risk of bioterror is high – unified consensus among experts.

Selgelid et al 07 Seumas Miller, Centre for Applied Philosophy and Public Ethics at the Charles Sturt University and the Australian National University. Michael Selgelid, Centre for Applied Philosophy and Public Ethics, Menzies Centre for Health Policy at the Australian National University. “Ethical and Philosophical Consideration of the Dual-use Dilemma in the Biological Sciences” 2007. https://www.law.upenn.edu/live/files/2295-millerselgelidethical-and-philosophical SA-IB

In the aftermath of the 11th September 2001 attacks in the US, bioterrorism is widely considered to be a real threat, especially to populations in western countries. Moreover, it is seen as a greater threat from non-state terrorist groups than, say, nuclear WMDs, given the availability of the materials and technical knowledge necessary to produce the relevant biological agents and the feasibility of weaponisation. This is not to say that there are not obstacles for would-be bioterrorists, including the dangers to themselves in handling pathogens. But it is to say that there is a non-negligible bioterrorist threat, and it is likely to increase rather than decrease. A small number of animal, plant and human pathogens are readily obtainable from nature, and bioterrorists with minimal microbiological training could use these to inflict causalities or economic damage. Techniques of genetic engineering have been available for some time to enhance the virulence, transmissibility and so on of naturally occurring pathogens. This gives rise to the possibility of terrorists getting their hands on pathogens with (say) enhanced virulence and for which there are no vaccines. Indeed, some of these enhancement techniques are such that bioterrorists with advanced microbiological training could themselves employ them. Recent developments in synthetic genomics have exacerbated the problem even further. It is now possible to create pathogens de novo, i.e., to construct deadly viruses from scratch. Accordingly, in the not too distant future a would-be terrorist will no longer need to go to an inhospitable region to find a naturally occurring pathogen such as Ebola, or to steal a highly virulent and transmissible pathogen such as smallpox from one of a very small number of very secure laboratories, or even to employ standard recombinant DNA techniques to enhance the virulence and transmissibility of some more readily available pathogen. Rather he or she could buy a bench-top DNA synthesiser and potentially use it to assemble a specified genomic sequence of a highly virulent and transmissible pathogen from readily available raw materials. Again, this is not to say that there are not obstacles to terrorists, including those mentioned above, as well as the current lack of know-how and technological capability regarding synthetic genomics amongst most cohorts of researchers and laboratory workers, and whatever safeguards exist now, e.g., the US Select Agent regulations, or can be put into place over the next few years. In short, some research in the biological sciences has the potential for great harm, as well as great good; and, unfortunately, there are any number of malevolent individuals, political and religious groups and governments ready, willing and (increasingly) able to use this research to cause harm rather than to do good. This is the larger context in which the dual-use dilemma in the biological sciences arises.

#### Extinction – it’s ridiculously easy.

Nathan Mhyrvold 13, went to college at 14, BS and Masters from UCLA, Masters and PhD from Princeton. “Strategic Terrorism: A Call to Action” The Lawfare Research Paper Series Research paper NO . 2 – 2013

As horrible as this would be, such a pandemic is by no means the worst attack one can imagine, for several reasons. First, most of the classic bioweapons are based on 1960s and 1970s technology because the 1972 treaty halted bioweapons development efforts in the United States and most other Western countries. Second, the Russians, although solidly committed to biological weapons long after the treaty deadline, were never on the cutting edge of biological research. Third and most important, the science and technology of molecular biology have made enormous advances, utterly transforming the field in the last few decades. High school biology students routinely perform molecular-biology manipulations that would have been impossible even for the best superpower-funded program back in the heyday of biological-weapons research. The biowarfare methods of the 1960s and 1970s are now as antiquated as the lumbering mainframe computers of that era. Tomorrow’s terrorists will have vastly more deadly bugs to choose from. Consider this sobering development: in 2001, Australian researchers working on mousepox, a nonlethal virus that infects mice (as chickenpox does in humans), accidentally discovered that a simple genetic modification transformed the virus.10, 11 Instead of producing mild symptoms, the new virus killed 60% of even those mice already immune to the naturally occurring strains of mousepox. The new virus, moreover, was unaffected by any existing vaccine or antiviral drug. A team of researchers at Saint Louis University led by Mark Buller picked up on that work and, by late 2003, found a way to improve on it: Buller’s variation on mousepox was 100% lethal, although his team of investigators also devised combination vaccine and antiviral therapies that were partially effective in protecting animals from the engineered strain.12, 13 Another saving grace is that the genetically altered virus is no longer contagious. Of course, it is quite possible that future tinkering with the virus will change that property, too. **Strong reasons exist to believe that the genetic modifications** Buller made to mousepox **would work for other** poxviruses and possibly for other classes of **viruses** as well. Might the same techniques allow chickenpox or another poxvirus that infects humans to be turned into a 100% lethal bioweapon, perhaps one that is resistant to any known antiviral therapy? I’ve asked **this question of experts many times, and no one has yet replied that such a manipulation couldn’t be done. This case is just one example. Many more are pouring out** of scientific journals and conferences every year. Just last year, the journal Nature published a controversial study done at the University of Wisconsin–Madison in which virologists enumerated the changes one would need to make to a highly lethal strain of bird flu to make it easily transmitted from one mammal to another.14 Biotechnology is advancing so rapidly that it is hard to keep track of all the new potential threats. Nor is it clear that anyone is even trying. In addition to lethality and drug resistance, many other parameters can be played with, given that the infectious power of an epidemic depends on many properties, including the length of the latency period during which a person is contagious but asymptomatic. Delaying the onset of serious symptoms allows each new case to spread to more people and thus makes the virus harder to stop. This dynamic is perhaps best illustrated by HIV , which is very difficult to transmit compared with smallpox and many other viruses. Intimate contact is needed, and even then, the infection rate is low. **The balancing factor is that HIV can take years to progress to AIDS , which can then take many more years to kill the victim.** What makes HIV so dangerous is that infected people have lots of opportunities to infect others. This property has allowed HIV to claim more than 30 million lives so far, and approximately 34 million people are now living with this virus and facing a highly uncertain future.15 A virus genetically engineered to infect its host quickly, to generate symptoms slowly—say, only after weeks or months—and to spread easily through the air or by casual contact would be vastly more devastating than HIV. It could silently penetrate the population to unleash its deadly effects suddenly. This type of epidemic would be almost impossible to combat because most of the infections would occur before the epidemic became obvious. A tec**hnologically sophisticated terrorist group could develop such a virus and kill** a large part of **humanity** with it. Indeed, terrorists may not have to develop it themselves: some scientist may do so first and publish the details. **Given the rate at which biologists are making discoveries about viruses and** the immune system, at some point in the near future, someone may create artificial pathogens that could drive the human race to extinction. Indeed, **a detailed species-elimination plan of this nature was openly proposed in a scientific journal.** The ostensible purpose of that particular research was to suggest a way **to extirpate the malaria mosquito**, but similar techniques could be directed toward humans.16 When I’ve talked to molecular biologists about this method, they are quick to point out that it is slow and easily detectable and could be fought with biotech remedies. If you challenge them to come up with improvements to the suggested attack plan, however, they have plenty of ideas. Modern biotechnology will soon be capable, if it is not already, of bringing about the demise of the human race— **or at least of killing a sufficient number of people to end high-tech civilization and set humanity back 1,000 years or more.** That terrorist groups could achieve this level of technological sophistication may seem far-fetched, but keep in mind that it takes only a handful of individuals to accomplish these tasks. Never has lethal power of this potency been accessible to so few, so easily. Even more dramatically than nuclear proliferation, modern biological science has frighteningly undermined the correlation between the lethality of a weapon and its cost, a fundamentally stabilizing mechanism throughout history. Access to extremely lethal agents—lethal enough to exterminate Homo sapiens—will be available to anybody with a solid background in biology, terrorists included.

## 3

#### Public colleges and universities ought not restrict any protected speech for professors of color and ought to ban white professors from using racial insults.

#### College policies are good and deter individuals from racial insults.

Richard Delgado 82, professor of law. “WORDS THAT WOUND: A TORT ACTION FOR RACIAL INSULTS, EPITHETS, AND NAME-CALLING” Harvard Civil Rights-Civil Liberties Law Review. 1982. SA-IB

It is, of course, impossible to predict the degree of deterrence a cause of action in tort would create. However, as Professor van den Berghe has written, "**for most people living in racist societies racial prejudice is merely a special kind of convenient rationalization for rewarding behavior**." In other words, in racist societies "most members of the dominant group will exhibit both prejudice and discrimination," but only in conforming to social norms. Thus, "[W]hen social pressures and rewards for racism are ab- sent, racial bigotry is more likely to be restricted to people for whom prejudice fulfills a psychological 'need.' In such a tolerant milieu prejudiced persons may even refrain from discriminating behavior to escape social disapproval." **Increasing the cost of racial insults thus would certainly decrease their frequency. Laws will never prevent violations altogether, but they will deter "whoever is deterrable." Because most citizens comply with legal rules, and this compliance in turn "reinforce[s] their own sentiments toward conformity," a tort action for racial insults would discourage such harmful activity through the teaching function of the law. The establishment of a legal norm "creates a public conscience and a standard for expected behavior that check overt signs of prejudice." Legislation aims first at controlling only the acts that express undesired attitudes**. But "when expression changes, thoughts too in the long run are likely to fall into line."'" "Laws ...restrain the middle range of mortals who need them as a mentor in molding their habits." Thus, "**If we create institutional arrangements in which exploitative behaviors are no longer reinforced, we will then succeed in changing attitudes[.] [that underlie these behaviors]. ' Because racial attitudes of white Americans "typically follow rather than precede actual institutional [or legal] alteration," a tort for racial slurs is a promising vehicle for the eradication of racism**.

#### Racial insults cause psychological violence.

Richard Delgado 82, professor of law. “WORDS THAT WOUND: A TORT ACTION FOR RACIAL INSULTS, EPITHETS, AND NAME-CALLING” Harvard Civil Rights-Civil Liberties Law Review. 1982. SA-IB

American society remains deeply afflicted by racism. Long before slavery became the mainstay of the plantation society of the antebellum South, Anglo-Saxon attitudes of racial superiority left their stamp on the developing culture of colonial America. 10 Today, over a century after the abolition of slavery, many citizens suffer from discriminatory attitudes and practices, infec- ting our economic system, our cultural and political institutions, and the daily interactions of individuals." The idea that color is a badge of inferiority and a justification for the denial of oppor- tunity and equal treatment is deeply ingrained. **The racial insult remains one of the most pervasive channels through which discriminatory attitudes are imparted**.I2 **Such language injures the dignity and self-regard of the person to whom it is addressed, communicating the message that distinc- tions of race are distinctions of merit, dignity, status, and personhood**.'3 Not only does the **listener learn and internalize the messages contained in racial insults**, 4 these **messages color our society's institutions and are transmitted to succeeding generations**. 5 A. TheHarmsofRacism The psychological harms caused by racial stigmatization are often much more severe than those created by other stereotyping actions. Unlike many characteristics upon which stigmatization may be based, membership in a racial minority can be considered neither self-induced, like alcoholism or prostitution, nor alterable. Race-based stigmatization is, therefore, "one of the most fruitful causes of human misery. Poverty can be eliminated-but skin color cannot."'6 The plight of members of racial minorities may be compared with that of persons with physical disfigurements; the point has been made that [a] rebuff due to one's color puts [the victim] in very much the situation of the very ugly person or one suffer- ing from a loathsome disease. The suffering. . may be aggravated by a consciousness of incurability and even blameworthiness, a self-reproaching which tends to leave the individual still more aware of his loneliness and 7 unwantedness. The psychological impact of this type of verbal abuse has been described in various ways. Kenneth Clark has observed, "Human beings ... whose daily experience tells them that almost nowhere in society are they respected and granted the ordinary dignity and courtesy accorded to others will, as a matter of course, begin to doubt their own worth." 8 Minorities may come to believe the frequent accusations that they are lazy, ignorant, dirty, and superstitious.19 "The **accumulation of negative im- ages ... present[s] them with one massive and destructive choice: either to hate one's self, as culture so systematically demand[s], or to have no self at all, to be nothing**."2 **The psychological responses to such stigmatization consist of feelings of humiliation, isolation, and self-hatred**. Consequently, it is neither unusual nor abnormal for stigmatized individuals to feel ambivalent about their self-worth and identity.2 This am- bivalence arises from the stigmatized individual's awareness that others perceive him or her as falling short of societal standards, standards which the individual has adopted. Stigmatized in- dividuals thus often are hypersensitive and anticipate pain at the prospect of contact with "normals."I It is no surprise, then, that racial stigmatization injures its victims' relationships with others. **Racial tags deny minority in- dividuals the possibility of neutral behavior in cross-racial contacts,2 thereby impairing the victims' capacity to form close interracial relationships**. Moreover, **the psychological responses of self-hatred and self-doubt unquestionably affect even the vic- tims' relationships with members of their own group**. 24 **The psychological effects of racism may also result in mental illness and psychosomatic disease**.Y The affected person may react **by seeking escape through alcohol, drugs, or other kinds of anti-social behavior**. The rates of narcotic use and admission to public psychiatric hospitals are much higher in minority com- munities than in society as a whole.26 The achievement of high socioeconomic status does not diminish the psychological harms caused by prejudice. The effort to achieve success in business and managerial careers exacts a psychological toll even among exceptionally ambitious and up- wardly mobile members of minority groups. Furthermore, those who succeed "do not enjoy the full benefits of their professional status within their organizations, because of inconsistent treat- ment by others resulting in continual psychological stress, strain, and frustration."27 As a result, the incidence of severe psychological impairment caused by the environmental stress of prejudice and discrimination is not lower among minority group members of high socioeconomic status. 8 One of the most troubling effects of r**acial stigmatization** is that it **may affect parenting practices among minority group members, thereby perpetuating a tradition of failure. A** recent study29 of minority mothers found that many denied the real significance of color in their lives, yet were morbidly sensitive to matters of race. Some, as a defense against aggression, identified excessively with whites, accepting whiteness as superior. Most had negative expectations concerning life's chances. **Such self- conscious, hypersensitive parents, preoccupied with the ambigui- ty of their own social position, are unlikely to raise confident, achievement-oriented, and emotionally stable children.** In addition to these long-term psychological harms of racial labeling, the stresses of **racial abuse may have physical conse- quences. There is evidence that high blood pressure is associated with inhibited, constrained, or restricted anger,** and not with genetic factors, 30 **and that insults produce elevation in blood pressure**." American blacks have **higher blood pressure levels and higher morbidity and mortality rates** from hypertension, hypertensive disease, and stroke than do white counterparts.32 Further, there exists a strong correlation between degree of darkness of skin for blacks and level of stress felt, a correlation that may be caused by the greater discrimination experienced by dark-skinned blacks. 33 In addition to such emotional and physical consequences, **racial stigmatization may damage** a victim's pecuniary interests. The psychological injuries severely handicap **the victim's pursuit of a career. The person who is timid, withdrawn, bitter, hypertense, or psychotic will almost certainly fare poorly in employment settings**. An experiment in which blacks and whites of similar aptitudes and capacities were put into a competitive situation found that the blacks exhibited defeatism, half-hearted competitiveness, and "high expectancies of failure."34 For many minority group members, the equalization of such quantifiable variables as salary and entry level would be an insufficient an- tidote to defeatist attitudes because the psychological price of at- tempting to compete is unaffordable; they are "programmed for failure."3 Additionally, career options for the victims of racism are closed off by institutional racism 36 -the subtle and un- conscious racism in schools, hiring decisions, and the other prac- tices which determine the distribution of social benefits and responsibilities.

## Case

### Framework

#### 1] Death outweighs – it’s ontological destruction.

Jonas 96 (Hans, Former Alvin Johnson Prof. Phil. – New School for Social Research and Former Eric Voegelin Visiting Prof. – U. Munich, “Morality and Mortality: A Search for the Good After Auschwitz”, p. 111-112)

With this look ahead at an ethics for the future, we are touching at the same time upon the question of the future of freedom. The unavoidable discussion of this question seems to give rise to misunderstandings. My dire prognosis that not only our material standard of living but also our democratic freedoms would fall victim to the growing pressure of a worldwide ecological crisis, until finally there would remain only some form of tyranny that would try to save the situation, has led to the accusation that I am defending dictatorship as a solution to our problems. I shall ignore here what is a confusion between warning and recommendation. But I have indeed said that such a **tyranny would still be better than total ruin**; thus, I have ethically accepted it as an alternative. I must now defend this standpoint, which I continue to support, before the court that I myself have created with the main argument of this essay. For **are we not contradicting ourselves in prizing physical survival at the price of freedom**? Did we not say that freedom was the condition of our capacity for responsibility—and that this capacity was a reason for the survival of humankind?; **By tolerating tyranny as an alternative to physical annihilation are we not violating the principle we established: that the How of existence must not take precedence over its Why?** **Yet we can make a terrible concession to the primacy of physical survival in the conviction that the ontological capacity for freedom, inseparable as it is from man's being, cannot really be extinguished, only temporarily banished from the public realm**. **This conviction can be supported by experience we are all familiar with. We have seen that even in the most totalitarian societies the urge for freedom on the part of some individuals cannot be extinguished, and this renews our faith in human beings.** Given this faith, we have reason to hope that, **as long as there are human beings who survive, the image of God will continue to exist along with them and will wait in concealment for its new hour.** **With that hope**—which in this particular case takes precedence over fear—**it** **is** permissible**, for the sake of physical survival, to accept if need be a temporary absence of freedom in the external affairs of humanity**. This is, I want to emphasize, a worst-case scenario, and it is the foremost task of responsibility at this particular moment in world history to prevent it from happening. This is in fact one of the noblest of duties (and at the same time one concerning self-preservation), on the part of the imperative of responsibility to avert future coercion that would lead to lack of freedom by acting freely in the present, thus preserving as much as possible the ability of future generations to assume responsibility. But more than that is involved. **At stake is the preservation of Earth's entire miracle of creation, of which our human** existence **is a part and before which [hu]man reverently bows,** even without philosophical "grounding." Here too faith may precede and reasonfollow; it is faith that longs for this preservation of the Earth (fides quaerens intellectum), and reason comes as best it can to faith's aid with arguments, not knowing or even asking how much depends on its success or failure in determining what action to take. With this confession of faith we come to the end of our essay on ontology.

#### 2] Their framework warrants appeal to util because they’re justified on consequentialist impacts to oppression

### Advantage